

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Anthony Woodson

Case No.: 15-20972
Judge: CMG
Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- ☒ Original ☐ Modified/Notice Required ☒ Discharge Sought
☐ Motions Included ☒ Modified/No Notice Required ☐ No Discharge Sought

Date: 8/30/16

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 146 per month to the Chapter 13 Trustee, starting on 10/1/16 for approximately 21 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
A. Russo, Trustee L. Sheller	commission atty fee	tbd prepetition paid; addl fees due for loan mod and reply to trustee motion TBD

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☒ Not less than \$ 3600 to be distributed *pro rata*
☐ Not less than _____ percent
☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) L. Sheller
- 3) unsecured creditors
- 4) _____

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 6/11/15.

Explain below **why** the plan is being modified:
debtor obtained loan modification which decreased mortgage payment and removed any arrears due to mortgage company but other expenses increased thus debtor's net disposable income of @\$146 per month remains the same

Explain below **how** the plan is being modified:
plan payment to remain the same; request that late claim filed by First bank of Delaware NOT be paid.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 8/30/16

/s/ Laurence Sheller
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 8/30/16

/s/ Anthony Woodson
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Anthony Woodson
 Debtor

Case No. 15-20972-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 24

Date Rcvd: Aug 31, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2016.

db +Anthony Woodson, 124 Bert Ave., Trenton, NJ 08629-2609
 cr +BANK OF AMERICA, N.A., Phelan Hallinan & Schmieg, PC, 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
 515561920 +Auto Outlet, 1555 N Olden Ave, Ewing, NJ 08638-3203
 516279083 BANK OF AMERICA, NA, BANK OF AMERICA, NA, P.O. BOX 31785, TAMPA, FL 33631-3785
 515792003 +Bank of America, N.A., P.O. Box 5170, Simi Valley, CA 93062-5170
 515561922 +Capital One, PO Box 71083, Charlotte, NC 28272-1083
 515630577 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
 515630578 Capital One, N.A., PO Box 71083, Charlotte, NC 28272-1083
 515561923 +Chambers Emergency Assoc., 66 West Gilbert St., 2nd Fl., Red Bank, NJ 07701-4947
 515561925 +Credit Acceptance Corp., 25505 W. 12 Mile Rd., Ste 3000, Southfield, MI 48034-8331
 515561926 ++DIRECTV LLC, ATTN BANKRUPTCIES, PO BOX 6550, GREENWOOD VILLAGE CO 80155-6550
 (address filed with court: Directv, P.O. Box 11732, Newark, NJ 07101)
 515561929 ++FOCUS RECEIVABLES MANAGEMENT LLC, 1130 NORTHCHASE PARKWAY STE 150, MARIETTA GA 30067-6429
 (address filed with court: Focus Receivables Management, 1130 Northchase Pkwy, Suite 150, Marietta, GA 30067)
 515561928 +Financial Recoveries, PO Box 1022, Wixom, MI 48393-1022
 515836108 +First Bank Delaware, Williamson Brown LLC, 4691 Clifton Pkwy, Hamburg, NY 14075-3201
 515561930 +Phelan, Hallinan & Schmieg, 400 Fellowship Rd., Suite 100, Mount Laurel, NJ 08054-3437
 515561932 +Revenue Recovery Corp., 612 Gay St., Knoxville, TN 37902-1603
 515561934 +St. Francis Medical Center, 601 Hamilton Ave., Trenton, NJ 08629-1915

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Aug 31 2016 23:33:05 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreregion03.ne.ecf@usdoj.gov Aug 31 2016 23:33:02 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
 515561924 +E-mail/Text: ned-collections_bankruptcydocuments@comcast.com Aug 31 2016 23:33:34 Comcast, 800 Rahway Ave., Union, NJ 07083-6691
 515561927 +E-mail/Text: bknotice@erccollections.com Aug 31 2016 23:33:07 Enhanced Recovery Co, LLC, 8014 Bayberry Rd., Jacksonville, FL 32256-7412
 515561931 +E-mail/Text: bankruptcy@rentacenter.com Aug 31 2016 23:33:57 Rent-A-Center, 1516 N. Olden Ave., Trenton, NJ 08638-3204
 515561933 +E-mail/Text: courtinfo@myshs.com Aug 31 2016 23:33:07 Safe Home Security, 55 Sebethe Drive, Cromwell, CT 06416-1054
 515561935 +E-mail/Text: bankruptcy@td.com Aug 31 2016 23:33:06 TD Bank, PO Box 219, Lewiston, ME 04243-0219

TOTAL: 7

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

515561921 ##+Bank of America, PO Box 17054, Wilmington, DE 19850-7054

TOTALS: 0, * 0, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2016

Signature: /s/Joseph Speetjens

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 24

Date Rcvd: Aug 31, 2016

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 30, 2016 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Andrew L. Spivack on behalf of Creditor BANK OF AMERICA, N.A. nj.bkecf@fedphe.com
Denise E. Carlon on behalf of Creditor BANK OF AMERICA, N.A. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Jennifer R. Gorchow on behalf of Creditor BANK OF AMERICA, N.A. nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor BANK OF AMERICA, N.A. nj.bkecf@fedphe.com
Joshua I. Goldman on behalf of Creditor BANK OF AMERICA, N.A. jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Laurence R. Sheller on behalf of Debtor Anthony Woodson laurence.sheller@verizon.net
TOTAL: 9